

REMARKS

Claims 1-17 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Application Publication No.: 2002/0087590 to Bacon et al. ("Bacon") in view of U.S. Patent No. 6,338,159 Alexander, III et al. ("Alexander"). Claims 1-17 remain pending. Applicant in the previous two responses has explained in detail why Bacon and Alexander do not render the claims in the present application obvious. Applicant in this reply maintains the previous position and argument asserted in those submissions. In addition, applicant is amending independent claims 1, 16, and 17, and adding new claims 18-20 in order to further advance the prosecution of this application to an early allowance.

Independent claims 1, 16, and 17 now recite "maintaining a depth value further including at least keeping an existing depth value associated with an object when a new link is added from another object to the object if the existing depth value associated with the object is a valid depth value." Support for this amendment is found in paragraphs 0030 and 0035. Applicant believes that neither Bacon nor Alexander, alone or in combination, discloses, suggests or teaches this element. For instance, the Office Action concedes that Bacon does not disclose, suggest, or teach "a depth value." Further because Alexander's tree level values are different from "a depth value" of the present application at least as explained in the previous responses, Alexander does not disclose, suggest or teach that this "depth value" can be kept "when a new link is added from another object to the object if the existing depth value associated with the object is a valid depth value." For at least the foregoing reason, applicant believes claims 1, 16 and 17, and their dependent claims 2-15 at least by virtue of their dependencies are not obvious over Bacon and Alexander.

In this reply new claims 18-20 are being added. Support for the new claims are found in paragraph 0034. The new claims are also believed to be novel and unobvious over the cited references.

This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. A favorable Office Action is hereby earnestly solicited. If the Examiner believes a telephone conference might expedite prosecution of this case, it is respectfully requested that he call applicant's attorney at (516) 742-4343.

Respectfully submitted,


Steven Fischman, Esq.

SCULLY, SCOTT, MURPHY & PRESSER, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343